

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ANTHONY COLES,

Plaintiff,
vs.

MANCOR INDUSTRIES, *et al.*,
Defendants.

Case No. 3:15-cv-420

District Judge Walter H. Rice
Magistrate Judge Michael J. Newman

ORDER

This case is before the Court on *pro se* Plaintiff's motion to refund the \$400.00 filing fee paid to this Court. Doc. 9. Plaintiff was granted leave to proceed *in forma pauperis*, *i.e.*, without paying the filing fee, on November 30, 2015. Nevertheless, Plaintiff voluntarily paid the filing fee on December 14, 2015 -- five days after the undersigned recommended that the Court dismiss Plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2)(B). Docs. 4, 5. While Plaintiff claims that he made the payment in error, doc. 9 at PageID 74-75, he fails to "provide any grounds that would justify an exception to the Court's long-standing policy of refusing to refund filing fees."

See Rashada v. Gonzales, No. 1:07-cv-1055, 2007 WL 1795873, at *1 (N.D. Ohio June 20, 2007) (discussing the Judicial Conference's "longstanding policy prohibiting the refund of fees") (internal citations omitted).

Plaintiff also requests that the Court appoint counsel. Doc. 9. However, Judge Rice dismissed Plaintiff's complaint on March 24, 2016, doc. 7, and the case remains terminated on this Court's docket. As such, Plaintiff's motion in this regard is moot.

Accordingly, for the forgoing reasons, Plaintiff's motion, doc. 9, is **DENIED**.

IT IS SO ORDERED.

Date: April 13, 2016

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge